

AMENDED IN ASSEMBLY APRIL 12, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1667

Introduced by Assembly Member Saldana

February 22, 2005

An act to amend Section 49423.5 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1667, as amended, Saldana. Pupil health: individuals with exceptional needs: specialized physical health care services.

Existing law provides that any individual with exceptional needs who requires specialized physical health care services, as defined, during the regular schoolday, may be assisted by certain specified individuals.

This bill would authorize all pupils to receive that assistance, and would impose certain conditions on the individuals authorized to provide these services. The bill would expand the definition of "specialized physical health care services" to include the administration of medication, with certain exceptions.

This bill would also make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49423.5 of the Education Code is
2 amended to read:

1 49423.5. (a) Notwithstanding Section 49422, any individual
2 ~~with exceptional needs~~ pupil who requires specialized physical
3 health care services, during the regular schoolday, may be
4 assisted by any of the following individuals:

5 (1) Qualified persons who possess an appropriate credential
6 issued pursuant to Section 44267, or hold a valid certificate of
7 public health nursing issued by the State Department of Health
8 Services.

9 (2) Qualified designated school personnel trained in the
10 administration of specialized physical health care if they perform
11 those services under the supervision of a school nurse, public
12 health nurse, or licensed physician and surgeon, *if all of the*
13 *following conditions exist:*

14 (A) *The function being assigned does not require a substantial*
15 *amount of scientific knowledge or professional skill in*
16 *accordance with subdivision (b) of Section 2725 of the Business*
17 *and Professions Code.*

18 (B) *The function is considered routine for the pupil and does*
19 *not require an assessment of the condition of the pupil.*

20 (C) *The medical condition of the pupil is stable.*

21 (b) Specialized health care or other services that require
22 medically related training shall be provided pursuant to the
23 procedures prescribed by Section 49423.

24 (c) Persons providing specialized physical health care services
25 shall also demonstrate competence in basic cardiopulmonary
26 resuscitation and shall be knowledgeable of the emergency
27 medical resources available in the community in which the
28 services are performed.

29 (d) “Specialized physical health care services,” as used in this
30 section, include catheterization, ~~gavage~~ *administration of*
31 *medication, gastric tube feeding, suctioning, or other services*
32 *that require medically related training. Administration of*
33 *medication does not include medication that requires an*
34 *assessment of the condition of the pupil and dosage adjustment*
35 *prior to administration, or parenteral medication.*

36 (e) Regulations necessary to implement this section shall be
37 developed jointly by the State Department of Education and the
38 State Department of Health Services, and adopted by the State
39 Board of Education.

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